

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:18 cv 52**

SHELBY LYNN CASH and BETTY JOE)
CASH BAYNE,)
)
 Plaintiffs,)
)
 v.)
)
LEES-MCRAE COLLEGE,)
INCORPORATED, et al.,)
)
 Defendants.)

ORDER

Before the Court is Plaintiffs' Amended Motion to Allow Late Filing [# 12]. On March 5, 2018, Plaintiffs filed their Complaint [# 1]. On May 18, 2018, Defendants filed their Motion to Dismiss [# 3]. On May 31, 2018, the Court granted Plaintiffs' Motion for an Extension of Time to Respond to the Motion to Dismiss [# 7]. The Court gave Plaintiffs through June 15, 2018 to file their response. On June 18, 2018, Plaintiffs' filed their first motion to allow late filing [# 8] and their Response in Opposition [# 9]. The Court denied the motion because Plaintiffs' counsel did not aver he had conferred with opposing counsel regarding the motion [# 11]. On June 21, 2018, the Plaintiffs filed their Amended Motion to Allow Late Filing [# 12].

Upon review of the Motion, it appears Plaintiffs' counsel has conferred with opposing counsel, and opposing counsel does not object to the late filing. For good cause shown, the Court **GRANTS** the Motion [# 12]. The Court now considers Plaintiffs' Response in Opposition [# 9] as timely.

Signed: June 26, 2018

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

